

**King County Agriculture Commission  
Minutes from June 9, 2005  
Issaquah Fish Hatchery  
Issaquah, WA**

**Commissioners Present:** Judy Duff, Nancy Hutto, Bob Tidball, Roger Calhoon, Michael Blakely, Dick Gradwohl, Gaylia Bullock, Ewing Stringfellow and Grant Davidson,

**Commissioners Absent:** George Irwin and Ben Kodama

**Staff:** Judy Herring, Steve Evans and Laurie Clinton, King County (KC) Department of Natural Resources and Parks (DNRP) Water and Land Resources Division (WLRD) Agriculture Programs; and Todd Murray, Washington State University Extension (WSU) KC.

**Guest Agency Staff:** Meggan Stein, ADRS Program, WA State Grange; Seth Starke, Planner, WSDOT; Jeffrey McMorris, Aide to KC Council member Kathy Lambert; Jeanette McKague, Aide to KC Council member David Irons; and Josh Monaghan, King Conservation District (KCD)

**Guests:** Scott Highland, Dave Dorn, Mike Tanksley, Fong Cha, Neng Yang, Pao Xiong, Anne Mack, Marguerite Sutherland, Charlie Chang and Dave Duff

Judy Duff called the meeting to order at 4:06pm.

A presentation by Smith Brothers representatives on proposed federal dairy pricing changes was added to the agenda and appointment of the nominating committee and having the Ag Commission listed in the Tilth Directory were added under New Business.

**Motion 01-0605** Nancy made the motion to accept agenda and change. Bob seconded and the motion passed unanimously.

**Approval of Minutes:**

**Motion 02-0605** Dick made the motion to approve the May 12, 2005 meeting minutes and Gaylia seconded. Motion passed unanimously. A special thanks was given to Steve for doing the minutes and filling in for Laurie at the May meeting.

**Presentation on proposed United States Department of Agriculture (USDA) Milk Pool changes:**

Smith Brothers representatives, Scott Highland and Dave Dorn explained USDA's proposed amendments that would require producer-handlers to pay into the dairy pool. Producer-handlers are defined as a dairy that bottles and sells their own product. There were roughly 400 in the country in the mid 1960's and today only 60 are left. In the 1930's the federal government created a pool of funds to protect small dairy farmers from having to sell raw milk to large processors at unfair prices. But, because Smith Brothers and other similar dairies process only their own milk from their own cows, they have always been exempt from paying into this pool. However, due to pressure from large agribusinesses, USDA is planning to take away the exemption. Smith Brothers has been bottling their own milk since 1920 and have independent distributors buy their milk for home delivery.

Under milk sales regulations farmers sell to the pool for a set price and processors buy for a set price. There are differences in pricing depending on what milk eventually becomes such as cheese or fluid milk, etc. Smith Brothers milk is BST free and in order to continue this practice they would have to buy their own product from the pool for \$1.50 more per 100 weight, which would be an increase of a rough estimate of \$1.5 million additional cost per year, which would be a deathblow to the company. The financial impact is similar for the other small dairies, also.

The public comment period ends 13<sup>th</sup> of June after which USDA will review and then make a decision. Washington State Department of Agriculture (WSDA) then has the authority to make the changes.

There were many questions regarding these impacts and the Commission agreed to discuss sending a letter of support under New Business. Judy thanked Scott and Dave for coming on such short notice to explain the situation to the Commission.

**Commission Business**

**Staff Report:**

Steve reported on a new tax exemption that allows a farmer who sells at a farmer's market and donates product at a food bank to be able to use the value of that donation to meet open space tax program requirements. He is trying to set up a meeting with KC Tax Assessor, Susan Monroe to work out the details. Steve will let Commissioners know when the meeting is arranged, for anyone interested in attending.

Judy H. provided an update on the “Revised Deed and Agreement” relating to development rights that replaces covenants in the FPP program which the Commission had reviewed at the February meeting. That afternoon the KC Council Utilities and Natural Resources (UNR) committee had just reviewed the revised document and made a do pass recommendation. Steve informed the Commission about the zoning issues regarding the hearing examiner’s findings on Maxine Keesling’s docket item on the zoning of several parcels in the Sammamish APD. This will be discussed at the upcoming Commission Regulatory and Land Use Committee.

#### **Public Comment:**

**Judy Herring** speaking as Planning Board Chair of Lake Forest Park, announced that the City Farmer’s Market had opened. She congratulated Grant for his excellent efforts as Market manager on getting the Market up and running. **Charlie Chang** introduced himself as the WSU Small Farms Program liaison for Hmong farmers. He explained the dilemma many Hmong farmers are facing with their rented farmlands. He asked the Commission for their help in this matter. He expressed his frustration at the difficulty the Hmong farmers face in trying to get farmable land. He said current programs are helpful but the Hmong know how to farm and what they need is help finding farms. **Anne Mack** wondered if there had been any discussion with the soccer association and possible purchase of Mueller farm. She’d read an article in Seattle times that mentioned they are considering selling the property. Judy H. replied that she had spoken with the Lake WA Voc-Tech and they are interested in the 37 acre parcel. **Mike Tanksley** said he knows the association is interested in getting out from underneath the property. He will be attending a meeting tomorrow to talk about some of the issues. He said that at least now they are realizing that the property was a mistake to purchase.

#### **WA Agricultural Employment Mediation Program**

Megann Stein, ADRS Coordinator for the WA State Grange thanked the Commission for giving her the time to talk about the program. She said this program is to help farmers and farm employees in employment disputes. Since litigation is very expensive and can do a lot of harm, this program was created to help people in conflict negotiate solutions on their own. She distributed brochures and encouraged everyone to review them and to call or email if they have any questions ([mstein@wa-grange.org](mailto:mstein@wa-grange.org)). She explained how the program works and provided background on mediator training. Judy thanked her for coming to share this information with the Commission.

#### **Agency Reports**

**King Conservation District (KCD):** Josh said they are quite busy at the KCD having just completed 50 farm plans. They have increased staffing to meet the additional workload required by the Critical Areas Ordinance farm plans. **Washington State University (WSU) Extension KC:** Toddy Murray, new Extension agent, shared his work experiences and what his new position with Extension entails. He provided handouts on upcoming Extension workshops and events. Todd told about the upcoming Extension Livestock Advisor focus groups that Greta Cook was hosting. He also talked about his work with Charlie Chang to help Hmong farmers. Todd described the unique opportunity he was offered by the WSDA Exotic Pest Program, which is to trap and track wireworm pests.

#### **WSDOT SR164 Corridor Study Discussion:**

Seth Starke returned to provide updates for the Commission and to request a formal response from them on the State Route Corridor studies. He described the revised proposals and how they modeled better from a traffic standpoint. He explained the other criteria they considered such as road widening and the discovery of Native American artifacts. He said he knows there has been discussion on timing issues in the past regarding designated wetland and mitigation sites and he wants to prevent that from happening again. Seth asked the Commission to look at the corridor as a whole when making their comments. As project manager he intends to adhere to the policy of characterizing a highway as it exists currently - such as the APD area - acknowledging that once land is taken out of production it cannot be replaced. There was a lengthy discussion on various aspects such as: traffic counts; traffic flow; future traffic projections; importance of minimizing impact to Ag by avoiding APD’s; favorable routes; and planning sufficiently for future traffic conditions.

**Motion 03-0605** Ewing made the motion to write a letter requesting that the state not acquire any agriculture lands unless the land can be swapped with other ag land that the state has or that the state pays the highest and best use, not based on its ag use value. There was no second so the motion died.

**Motion 04-0605** Nancy moved to write a letter that supports an alternative route that has no negative impact on ag land and does not encroach on ag land. If that cannot be done, to ensure there is no alignment or border along ag land. If this cannot be done, then they would not support that route. Bob seconded and the motion passed with Ewing abstaining.

### **Condemnation of FPP Property:**

Judy H. presented the pending City of Kent condemnation of a Farmland Preservation Program (FPP) property. She briefly mentioned the WSDOT condemnation of FPP property for highway widening and mitigation the Commission had responded to earlier. Judy then explained that this current situation is quite a bit different than the previous one. This parcel is a 15-acre FPP property within the City of Kent that was purchased in 1986 in fee by KC using FPP monies. Judy provided a history of the property. It has not been farmed in many years and half of it is wetland. The City of Kent is authorizing the right of eminent domain to condemn the property for the purpose of doing major stream restoration and enhancement and for use as a drainage facility. It is referred to as the Johnson Creek restoration project. Judy H. looked in the KC folio and it shows it as a wetland. Judy H. said that the County has no jurisdiction other than the fact that it owns the development rights and she reminded them it's a piece of property that has not been farmed since 1988. Judy H. felt that based on her expertise, in this one particular instance it could be of benefit to the FPP program to sell. The money received for the development rights on this land could be applied to actively farmed land in the Lower Green Agriculture Production District (APD). She said this property would not be purchased for the program today, so she feels letting it go would not hurt the program, but rather enhance it by adding good farmland to another APD. There was a very lengthy discussion on this situation. Questions were asked as to why the county ever bought it since it was too wet; why were development rights purchased within a city boundary; how is it zoned; what land uses border this parcel; and how much would the County be reimbursed.

There was additional discussion on how much FPP property is currently farmed and Judy H. replied that most have agriculture on them to a minimal extent. She expressed her concern about opening an avenue to allow FPP property to revert to a wetland. Commissioners continued discussion with Judy H. and voiced concerns about setting a precedent for giving up FPP property.

**Motion 05-0605** Nancy moved that to be consistent with other stands we recommend that this property be retained as ag land to be consistent with our other positions such as those regarding highway mitigations. Bob seconded.

There was discussion on how to try and get agriculture activity back on the farmland. It is privately owned so it would entail working with the landowner if they were willing to do so. Motion passed unanimously.

### **Update on Hmong Agricultural Community:**

Fong Cha, representative for the Hmong community came to meet the Commission and to provide information on issues currently facing Hmong farmers. He said they have tried for a long time to form an organization but have not yet been successful. The purpose of organization is to provide an avenue to open lines of communication with local and fed government, to expand the contact base with the ag community and to provide business education and assistance.

Fong said they would appreciate assistance in learning how to: meet the wholesale demands; provide guidance on meeting specific customer needs; provide education on using chemicals; build a central cooler; learn year round farming opportunities ; build affordable greenhouses; and how to purchase large quantities of bulbs, plants, seeds, and fertilizer at wholesale prices. Judy thanked Fong for coming and said the Commission will invite him back regularly.

In regards to the letter to Kent, Bob suggested that the point should be made that there is a higher public interest granted by the voters of King County in preserving that farmland as opposed to Kent's interest to use it as a mitigation site for Kent stream and wetland restoration.

### **Old business:**

Judy D. requested that the WLRD Business Plan be on every agenda. She said that various county council members think that it will be coming back before them. So she feels this is a serious issue and directed staff to have it and the budget on every agenda.

Bob requested that the Ag Rule, which is part of the Critical Areas Ordinance be brought back before the Commission. They have never seen the final draft, even though they had input on it.

### **New Business:**

There was discussion on the Tilth Producer Directory and it was agreed that a call or letter should go out to ensure the Ag Commission gets in next year's edition.

The Commission agreed to stick to the usual summer schedule which is to not hold a July meeting.

There was a brief discussion on the Smith Brothers presentation.

**Motion 06-0605** Grant made the motion to send a letter on behalf of Smith Brothers. Bob seconded and motion passed unanimously.

Since it is time to select the Nominating Committee for chair and vice-chair elections, Judy D. said she will make her selections and contact Commissioners before the August meeting so the elections could be held then.

Meeting adjourned 7:02